

## **DETAILED ACTION**

### ***Current Status***

1. This action is responsive to Applicants' amendment and Appeal of 4 September 2009.
2. Receipt and entry of Applicants' amendment and Appeal is acknowledged.
3. Claims 30-39, 41-43, 45-50, 52-55 and 59 are actively pending in the application.
4. The 112 rejection is withdrawn following Applicants amendments.

The withdrawn claims 50 and 52-55 have been rejoined and examined.

**This application is a 371 of PCT/IL04/00536 06/17/2004**

**which claims benefit of 60/479,185 06/18/2003**

**and claims benefit of 60/505,638 09/25/2003**

**and claims benefit of 60/537,553 01/21/2004**

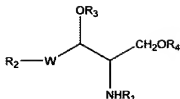
**and claims benefit of 60/545,505 02/19/2004.**

### ***Allowed Claims***

Claim 30-39, 41-43, 45-50, 52-55 and 59 are allowable over the prior art of record.

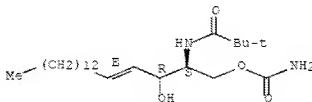
### ***Reason For Allowance***

The following is an examiner's statement of reasons for allowance: A search of the prior art failed to uncover any reference that anticipates or renders obvious a compound of the general formula 1 as claimed by applicants.



Formula 1

The closest prior art is Kobori et al., {WO 2001038295}. Kobori et al. disclose the compound shown below. Kobori et al. compounds differ from Applicants claimed compound in that applicants claim a compound wherein the variable  $R_3$  is an amide group or a heterocyclic ring while Kobori et al. disclosed compounds substituted with OH group. These are different compounds, and the difference is not readily apparent and would not have been suggested to one of ordinary skill.



**Claims 30-39, 41-43, 45-50, 52-55 and 59 are allowed.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chukwuma O. Nwaonicha whose telephone number is

571-272-2908. The examiner can normally be reached on Monday thru Friday, 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Sullivan can be reached on 571-272-0779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Chukwuma O. Nwaonicha/  
Examiner, Art Unit 1621

/Sikarl A. Witherspoon/  
Primary Examiner, Art Unit 1621

(for)

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